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EXAMINER

IQBAL, KHAWAR

ART UNIT PAPER NUMBER

2617

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	04/24/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

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**Office Action Summary**

Application No.

09/869,295

Applicant(s)

DE BEER, LEON

Examiner

Khawar Iqbal

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-9,11-48,50,53-77,79-83,85-88 and 90 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,11-48,50,53-77,79-83,85-88 and 90 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☒ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 3 and 4, are objected to as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claims 3 and 4 cannot depend on cancelled claim 2. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1,3-9,11-26,30-31, 36-38,44-45,48,50,51,53-68,70-71,75,77,80-83,85-88 and 90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller et al (6185413) in view of Rahman et al (6101379).

4. Regarding claim 1 Mueller et al teaches a method of operating a mobile telephone in a cellular telephone communications system in which a plurality of service providers provide respective alternative communications channels within said cellular telephone communication system, the method comprising (figs. 1-4):

storing routing information in a look-up table (memory 8) of the mobile telephone

- (1) such that the table is populated with data in the form of preferred route codes (memory 8 which stores various applications 8a-8c, The corresponding charge

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information is advantageously stored together with the application data for each application in the memory 8), each preferred route code being representative of a preferred route for connection to a respective call destination (page 5, line 63-col. 6, line 30, page 7, lines 15-62, col. 10, lines 6-60);

originating an Outgoing telephone call by the input of user generated call destination information (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60);

accessing the look-up table using an address determined at least in part by the call destination information to obtain a selected preferred route code ( accessing said charge data within the memory to determine costs relevant to utilizing the applications to establish connectivity for the first outgoing call) (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60);

selecting one of the communication channels in accordance with the preferred route code (selecting one of the applications based upon cost-efficiency in conducting the first outgoing call) (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60); and

establishing communication for the outgoing telephone call for a call destination corresponding to the call destination information via the selected communication channel of a corresponding selected service provider (initiating said first outgoing call to said destination phone via said selected application) (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60);

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periodically scanning received transmissions to identify available communications channels for which the mobile telephone has functional capability and attempting to complete a registration procedure for each available channel (col. 8, lines 30-35, col. 10, lines 5-15 and 50-67);

wherein said selecting comprises selecting from those available channels of said cellular telephone communication system in respect of which registration is completed (A selection device (4) is used for selecting a most cost-efficient application for a certain transmission connection depending on the charge data provided for each application. At least one transmitting and receiving unit (11,2,13) is provided for transmitting the communication data in accordance with the most cost-efficient application selected by the selection device) (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60). Mueller et al teaches the charge data stored in the mobile station for each available application can be regularly and **automatically updated by the mobile station by calling a central information station** with the aid of a mobile radio signal. The period of such a polling of the valid charge rates is advantageously selected in such a manner that changes in charges to be expected can always reliably be detected. Mueller et al does not specifically states wherein the preferred route codes comprise of a route selection decision by a control centre remote from the mobile telephone.

In an analogous art, Rahman et al teaches wherein the preferred route codes comprise of a route selection decision by a control centre remote from the mobile telephone (col. 3, lines 20-65). Therefore, it would have been obvious to one of

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ordinary skill in the art at the time the invention was made to modify the device of Mueller et al by specifically adding feature a route selection decision by a control centre in order to enhance system performance to provides flexibility in selecting among number of different operators and/or service providers available to portable telephone to establish connectivity for outgoing calls as taught by Rahman et al.

Regarding claim 48 Mueller et al teaches a mobile telephone for use in a cellular telephone communications system in which a plurality of service providers provide respective alternative communications channels within said cellular telephone communication system, the mobile telephone comprising (figs. 1-4):

a look-up table storing routing information (user preferences, tariff information) such that the table is populated with data in the form of preferred route codes, each preferred route code being representative of a preferred route for connection to a respective call destination (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60);

input means for originating an outgoing telephone call by the input of user generated call destination information (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60);

accessing means for accessing the look-up table using an address determined at least in part by the call destination information to obtain a selected preferred route code (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60);

channel selecting means for selecting one of the communication channels in accordance with the preferred route code (page 5, line 63-col. 6, line 20, page 7, lines

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15-50, col. 10, lines 6-60); and communication means for establishing communication for the outgoing telephone call for a call destination corresponding to the call destination information via the selected communication channel of a corresponding selected service provider (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60);

periodically scanning received transmissions to identify available communications channels for which the mobile telephone has functional capability and attempting to complete a registration procedure for each available channel (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60);

wherein said selecting comprises selecting from those available channel of said cellular telephone communication system in respect of which registration is completed (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

Mueller et al teaches the charge the mobile station can regularly and automatically update data stored in the mobile station for each available application **by calling a central information station** with the aid of a mobile radio signal. The period of such a polling of the valid charge rates is advantageously selected in such a manner that changes in charges to be expected can always reliably be detected. Mueller et al does not specifically states wherein the preferred route codes comprise of a route selection decision by a control centre remote from the mobile telephone.

In an analogous art, Rahman et al teaches wherein the preferred route codes comprise of a route selection decision by a control centre remote from the mobile telephone (col. 3, lines 20-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of

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Mueller et al by specifically adding feature a route selection decision by a control centre in order to enhance system performance to provides flexibility in selecting among number of different operators and/or service providers available to portable telephone to establish connectivity for outgoing calls as taught by Rahman et al.

Regarding claim 83 Mueller et al teaches a portable storage medium for use in a mobile telephone, the storage medium storing a look-up table populated with data in the form of preferred route codes, each preferred route code being representative of a preferred route for connection to a respective call destination (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60). Mueller et al teaches the charge the mobile station can regularly and automatically update data stored in the mobile station for each available application **by calling a central information station** with the aid of a mobile radio signal. The period of such a polling of the valid charge rates is advantageously selected in such a manner that changes in charges to be expected can always reliably be detected. Mueller et al does not specifically states wherein the preferred route codes comprise of a route selection decision by a control centre remote from the mobile telephone.

In an analogous art, Rahman et al teaches wherein the preferred route codes comprise of a route selection decision by a control centre remote from the mobile telephone (col. 3, lines 20-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Mueller et al by specifically adding feature a route selection decision by a control centre in order to enhance system performance to provides flexibility in selecting



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among number of different operators and/or service providers available to portable telephone to establish connectivity for outgoing calls as taught by Rahman et al.

Regarding claims 3,50 Mueller et al teaches wherein the decision is based at least in part on least-cost (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

Regarding claim 4 Mueller et al teaches wherein the decision is based at least in part on performance of at least one network selected in accordance with the preferred route (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

Regarding claim 5 Mueller et al teaches wherein the preferred route codes further determine a choice of a further network for forward connection between a network of the service provider of the selected communication channel and the call destination via the further network (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

Regarding claim 6 Mueller et al teaches wherein the control center collates billing information in respect of services provided by the service provider and one or more further service providers of the further networks in facilitating the making of the call to the call destination (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

Regarding claims 7,50 Mueller et al teaches wherein the mobile telephone adds a prefix code to the user generated call destination information (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

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Regarding claim 8 Mueller et al teaches wherein the prefix code includes a customer identification field containing user specific identification data (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

Regarding claims 9,51 Mueller et al teaches wherein the prefix code includes a charging information field for identifying a control entity to be billed by one or more service providers corresponding to the selected network connection route (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

Regarding claims 11,53 Mueller et al teaches electing from the available channels a home channel for receipt of incoming calls (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

Regarding claims 12,54 Mueller et al teaches electing from the available channels an update receiving channel for receipt of updating information broadcasts (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

Regarding claims 13-16,55-57 Mueller et al teaches wherein the look-up table is stored in a portable storage medium removable installed in the mobile telephone (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

Regarding claims 17,58 Mueller et al teaches periodically updating the data stored in the look-up table by receiving data blocks each containing a respective portion of updated data and, for each received data block, overwriting a corresponding portion of the existing data with updated data from the received block (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

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Regarding claims 18,59 Mueller et al teaches a routing table containing the preferred route codes; a carrier selection table containing, for each preferred route code, a list in order of priority of carrier selections to be used, subject to availability; and a carrier access table containing, for each carrier selection, a channel selection identifying a communications channel provided by a service provider of the mobile telephone system and a prefix code to be added to the dialed number identifying a further network for routing the call (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

Regarding claims 19,60 Mueller et al teaches wherein the look-up table further comprises a carrier availability table containing information indicating which of the channels are currently available (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

Regarding claims 20-22,61-63 Mueller et al teaches addressing the routing table to obtain a preferred route code; using the preferred route code to address the carrier selection table to obtain a list of carrier selections; addressing the carrier access table using the first carrier selection on the list to obtain the prefix code and channel selection data for the first channel selection; and addressing the carrier availability table using the channel selection data to determine if the first carrier selection is one of the available channels and, if so, initiating the call to the call destination using the prefix code via the channel selection data for the first carrier selection (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

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Regarding claims 23,24,64-65 Mueller et al teaches default route data and wherein if accessing the look-up table with the call destination information fails to locate corresponding data defining a preferred route code, the preferred route code is derived from the default route data (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

Regarding claim 26,66 Mueller et al teaches wherein the updating information is transmitted as a multipoint broadcast to a plurality of mobile telephones (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

Regarding claims 30,31,70,71,80 Mueller et al teaches wherein the updating information is communicated to the mobile telephone by detachably connecting the mobile telephone to a docking station and transmitting the updating information to the mobile telephone via the docking station (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

Regarding claims 36-38,81-82 Mueller et al teaches wherein the docking station is connected to a telephone line and updating information is received from the control center in response to making a telephone call request to the control center via the telephone line (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

Regarding claims 44,45,75,77 Mueller et al teaches wherein the telephone call is originated to communicate data comprising a type of data selected from a set of alternative types of data (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

Regarding claims 85-88 Mueller et al teaches processor implementable instructions for carrying out a method of operating a mobile telephone (page 5, line 63-col. 6, line 20, page 7, lines 15-50, col. 10, lines 6-60).

5. Claims 27-29,39,67-69 and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller et al (6185413), Rahman et al (6101379) and Skog (6427076).

6. Regarding claims 27-29,39,67-69 and 76 Mueller et al teaches a mobile station (1) includes a memory (8) for storing charge data which correspond to at least two different applications (18). Each application authorizes a user of the mobile station to transmit the communication data in accordance with the communication standard corresponding to the application with the aid of the mobile station. A selection device (4) is used for selecting a most cost-efficient application for a certain transmission connection depending on the charge data provided for each application. At least one transmitting and receiving unit (11,2,13) is provided for transmitting the communication data in accordance with the most cost-efficient application selected by the selection device. Mueller et al and Rahman et al do not specifically teach information is transmitted to the mobile telephone as a web page.

In an analogous art, Skog teaches information is transmitted to the mobile telephone as a web page (col. 6, lines 35-60). Provides subscriber data records (SDR) that are bifurcated into related primarily to the wireless network and. The mobile station can receive, analyze, update and to possibly respond to information in the SDR, such as Internet subscription parameters. Therefore, it would have been obvious to one of

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ordinary skill in the art at the time the invention was made to modify the device of Mueller et al and Rahman et al by specifically adding feature information is transmitted to the mobile telephone as a web page in order to enhance system performance of web page to increasing the efficiency of the system as taught by Skog.

7. Claims 32-35,79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller et al (6185413), Rahman et al (6101379) and Georges (6014546).

8. Regarding claims 32-35,79 Mueller et al teaches a mobile station (1) includes a memory (8) for storing charge data, which correspond to at least two different applications (18). Each application authorizes a user of the mobile station to transmit the communication data in accordance with the communication standard corresponding to the application with the aid of the mobile station. A selection device (4) is used for selecting a most cost-efficient application for a certain transmission connection depending on the charge data provided for each application. At least one transmitting and receiving unit (11,2,13) is provided for transmitting the communication data in accordance with the most cost-efficient application selected by the selection device. Mueller et al and Rahman et al do not specifically teach signals multiplexed in a television transmission signal, an optical cable network and satellite television network.

In an analogous art, Georges teaches signals multiplexed in a television transmission signal (col. 3, lines 17-31), an optical cable network (col. 3, line 20) and satellite television network (col. 4, lines 45-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Mueller et al and Rahman et al by specifically adding feature signals

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multiplexed in a television transmission signal, an optical cable network and satellite television network in order to enhance system performance of docking station to increasing the efficiency of the system as taught by Georges.

9. Claims 40-43,46-47,72-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mueller et al (6185413), Rahman et al (6101379) and Dahlin et al (6122263).

10. Regarding claims 40-43,46-47,72-74 Mueller et al teaches a mobile station (1) includes a memory (8) for storing charge data, which correspond to at least two different applications (18). Each application authorizes a user of the mobile station to transmit the communication data in accordance with the communication standard corresponding to the application with the aid of the mobile station. A selection device (4) is used for selecting a most cost-efficient application for a certain transmission connection depending on the charge data provided for each application. At least one transmitting and receiving unit (11,2,13) is provided for transmitting the communication data in accordance with the most cost-efficient application selected by the selection device. Mueller et al and Rahman et al does not specifically teach route via a packet switching network.

In an analogous art, Dahlin et al teaches route via a packet switching network (col. 5, lines 15-30). Method for optimizing transmission of information from packet switched fixed network to radio terminal determines whether first or second code is preferred for transmission of packet over radio link to radio terminal, coded information in third code is transcoded to either 1st or 2nd code and conveyed over radio link as

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determined. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Mueller et al and Rahman et al by specifically adding feature route via a packet switching network in order to enhance system performance of wireless system to increasing the efficiency as taught by Dahlin et al.

### ***Response to Arguments***

11. Applicant's arguments with respect to claims 1,3-9,11-48,50,53-77,79-83 and 85-88, 90 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khawar Iqbal whose telephone number is 571-272-7909.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, GEORGE ENG can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

*Khawar Iqbal*

  
GEORGE ENG  
SUPERVISORY PATENT EXAMINER